



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Denial of Verified Claim(s) against the City of Lodi

MEETING DATE: May 1, 2002

SUBMITTED BY: Human Resources Director

RECOMMENDED ACTION: To approve by motion action, denial of the following verified claim(s) filed against the City of Lodi:

- | | | |
|----|----------------------------------|--------------|
| A) | Boschee, Fred | DOL: 3/31/01 |
| B) | Chavez, Miguel A. | DOL: 1/30/02 |
| C) | Elm West Condominium Association | DOL: 9/01 |

BACKGROUND INFORMATION: Following review of verified claims filed against the City of Lodi, the City's contract administrator, Insurance Consulting Associates, Inc. (ICA) and Human Resources staff, recommend the City deny the subject claims.

FUNDING: None Required.


Respectfully submitted,



Kirk Evans, Risk Manager

cc: City Attorney

APPROVED: _____


H. Dixon Flynn -- City Manager

CITY COUNCIL

PHILLIP A. PENNINO, Mayor
SUSAN HITCHCOCK,
Mayor Pro Tempore
EMILY HOWARD
KEITH LAND
ALAN NAKANISHI

CITY OF LODI

CITY HALL
221 WEST PINE STREET, P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
HUMAN RESOURCES: (209) 333-6704
FAX (209) 333-6816

H. DIXON FLYNN
City Manager
SUSAN J. BLACKSTON
City Clerk
RANDALL A. HAYS
City Attorney

Notice of Claim Rejection

May 2, 2002

Fred Boschee
2 Park Street
Lodi, CA 95240

RE: Claim against the City of Lodi
Claimant: Fred Boschee
Date of Loss: 3/31/01
Our Claim Number: 757-02

Dear Claimant:

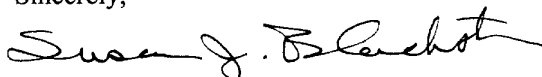
Notice is hereby given that the claim you presented to the City of Lodi on March 29, 2002 was rejected as of the date of this letter.

Notice

Subject to certain exemptions, you have only six (6) months from the date that this notice was personally delivered or deposited in the mail to file a court action on your state law claims. See Government Code §945.6. The six month time limit referred to in this notice applies only to claims or causes of action which are governed by the California Tort Claims Act which does not apply to federal causes of action. Additionally, the Tort Claims Act contains certain exemptions. You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult with an attorney, you should do so immediately.

Please also be advised that, pursuant to §128.7 and §1038 of the California Code of Civil Procedure, the City will seek to recover all costs of defense in the event an action is filed in this matter and it is determined that the action was not brought in good faith and with reasonable cause.

Sincerely,



Susan Blackston
City Clerk

cc: City Attorney
Risk Manager
ICA

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Notice of Claim Rejection

May 2, 2002

Miguel A. Chavez
1026 Buena Vista Ave.
Stockton, CA 95203

RE: Claim against the City of Lodi

Claimant: Miguel A. Chavez
Date of Loss: 1/30/02
Our Claim Number: 752-02

Dear Claimant:

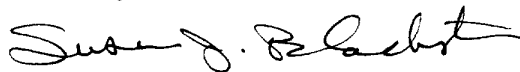
Notice is hereby given that the claim you presented to the City of Lodi on March 20, 2002 was rejected as of the date of this letter.

Notice

Subject to certain exemptions, you have only six (6) months from the date that this notice was personally delivered or deposited in the mail to file a court action on your state law claims. See Government Code §945.6. The six month time limit referred to in this notice applies only to claims or causes of action which are governed by the California Tort Claims Act which does not apply to federal causes of action. Additionally, the Tort Claims Act contains certain exemptions. You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult with an attorney, you should do so immediately.

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Sincerely,



Susan Blackston
City Clerk

cc: City Attorney
Risk Manager
ICA

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City Attorney

Notice of Claim Rejection

May 2, 2002

Elm West Condominium Association
c/o Ella Darcy
2405 W. Elm St.
Lodi, CA 95242

RE: Claim against the City of Lodi

Claimant: Elm West Condominium Association
Date of Loss: September, 2001
Our Claim Number: 753-02

Dear Claimant:

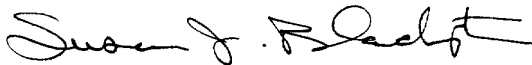
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Sincerely,



Susan Blackston
City Clerk

cc: City Attorney
Risk Manager
ICA